

### **REMARKS**

After the foregoing Amendment, claims 1-16, 19-20, 24-29, 31, 32 and 34-42, as amended, are pending. Claim 24 was amended to incorporate the subject matter of claims 30 and 33 therein, thereby making claim 24 an independent version of claim 33. Claim 30 and 33 were cancelled and claims 31 and 32 were amended to make them dependant on claim 24. Claim 29 was amended to more particularly point out and distinctly claim the invention. No new matter was added by the foregoing claim amendments.

Entry of the foregoing amendment is respectfully requested because this amendment places all of the pending claims in condition for allowance.

### **Drawings**

The drawings were objected to because, in Figs. 4 and 14, the boxes should have labels located inside the boxes and in Fig. 28, two of the boxes had misspelled words.

Submitted herewith are replacement sheets 4/32, 11/32 and 21/32 of the drawings. On replacement sheet 4/32, Fig. 4 was amended to add in the requisite legends inside boxes 88 and 61. On replacement sheet 11/32, Fig. 14 was amended to add in the legends in boxes 88 and 89. On replacement sheet 21/32, Fig. 27 was amended to correct the spelling of the word "time" along the bottom axis of the graph and Fig. 28 was amended to correct the spelling of the word "process" in box S81 and to correct the spelling of the words "printing process" in box S85.

In view of the submission of replacement sheets 4/32, 11/32 and 21/32, it is respectfully submitted that the drawing objections have been overcome.

### **Drawings/Claims**

The drawings were objected to under 37 C.F.R. § 1.83(a). It was the position of the Examiner that the drawings did not show the temperature sensor "under" the fixing unit as recited in claim 29. By the foregoing amendment, claim 29 has been amended to state that the temperature sensor is "lower than" the fixing unit. It is respectfully submitted that Fig. 1, which

is a side elevational view, clearly shows the temperature sensing detector (88) is at a position within the apparatus which is lower than that of the fixing unit (48). In view of the foregoing amendment to claim 29, it is respectfully submitted that the objection to the drawings should be withdrawn.

**Prior Art Rejections**

Claims 24, 25, 27, 28, 30-32, 34, 39, 40 and 41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Publication No. 09-281871 (Hagiwara), either alone or in combination with one of three other cited references. Claims 1-16 and 19-20 were indicated as being allowable. Claims 26, 29, 33, 35-38 and 42 were objected to as being dependent upon a rejected base claim but were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

By the foregoing amendment, allowable claim 33 has been placed into independent form by incorporating the subject matter of both claim 33 and intervening claim 30 into independent claim 24. The dependency of claims 31 and 32 has also been amended to depend directly from claim 24. As a result of this amendment, claim 24 (independent version of claim 33) is now allowable. Claims 25-29, 31, 32 and 34-42 are also now allowable because they all depend directly from allowable claim 24. Accordingly, it is respectfully submitted that the rejection of claims 24, 25, 27, 28, 30-32, 34, 39, 40 and 41 should be withdrawn.

Application No. 10/736,044  
Reply to Office Action of May 23, 2006

**Conclusion**

In view of the foregoing drawing amendments and the foregoing amendments to claims 24, 29, 31 and 32, it is respectfully submitted that the present application, including claims 1-16, 19-20, 24-29, 31, 32 and 34-42, is now in condition for allowance and such action is respectfully solicited.

Respectfully submitted,

September 9, 2006 By: Leslie L. Kasten, Jr.  
(Date)

**HIROYUKI INOUE**  
**LESLIE L. KASTEN, JR.**  
Registration No. 28,959  
**AKIN GUMP STRAUSS HAUER & FELD LLP**  
One Commerce Square  
2005 Market Street, Suite 2200  
Philadelphia, PA 19103-7013  
Telephone: 215-965-1200  
**Direct Dial: 215-965-1290**  
Facsimile: 215-965-1210  
E-Mail: lkasten@akingump.com

LLK:hg

Enclosures: Replacement Drawing Sheets 4/32, 11/32 and 21/32.